

## BOARD ACTION

November 21, 2006

	<b><u>INVESTITURE</u></b> Newly elected Commissioners Linda Stewart and Elaine Renick were sworn into office by Mr. James C. Watkins, Clerk. A reception was then held in their honor.	
APPROVED	<b><u>Tab 1.</u></b> Minutes of September 5, 2006 (Regular Meeting), as presented; October 17, 2006 (Regular Meeting), as presented; October 24, 2006 (Regular Meeting), as presented; October 26, 2006 (Special Meeting – State of the County), as presented.	WATKINS
APPROVED	<b><u>Tab 2.</u></b> Clerk of Courts= Consent Agenda, as follows: <ol style="list-style-type: none"><li>1. Request to acknowledge receipt of list of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.</li><li>2. Request to acknowledge receipt of CD containing St. Johns River Water Management District's Water Resource Development Work Program, updated for Fiscal Year 2006/2007, pursuant to Section 373.536(6)(a)(4) of the Florida Statutes.</li><li>3. Request to acknowledge receipt of Annexation Ordinance No. 2006-19, from the City of Minneola, annexing by voluntary petition approximately 1,850 acres located south of the Florida Turnpike, east of US Highway 27, and north of Old Highway 50, said property being contiguous to the City of Minneola. Passed and ordained the 10<sup>th</sup> day of October, 2006, by the City Council of the City of Minneola, Florida.</li><li>4. Request to acknowledge receipt of 2007 Governing Board Meeting Schedule for the St. Johns River Water Management District. Meetings are held at the Palatka District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, Florida, on the following dates: January 9, 2007      February 13, 2007 March 13, 2007      April 10, 2007 May 8, 2007      June 12, 1007 July 10, 2007      August 7, 2007 September 11, 2007      September 25, 2007 (Final Budget Hearing) October 9, 2007      November 13, 2007 December 11, 2007</li></ol>	WATKINS

	<p>5. Request to acknowledge receipt of Notice of Meeting – Arlington Ridge Community Development District – A meeting of the Board of Supervisors of the Arlington Ridge Community Development District is scheduled to be held on Tuesday, November 14, 2006, at 10:00 a.m. The meeting will be held at the Arlington Ridge Administration Building, 4463 Arlington Ridge Boulevard, Leesburg, Florida.</p> <p>6. Request to acknowledge receipt of excess fees returned to Board of County Commissioners from Clerk of Circuit Court, in the amount of \$1,022,398.29.</p> <p>7. Request to acknowledge receipt of Notice Before the Florida Public Service Commission – Supplemental Notice of Hearing to All Investor-Owned Electric and Gas Utilities and All Other Parties and Interested Persons, regarding the following:</p> <p>Docket No. 060001-EI – Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor.</p> <p>Docket No. 041291-EI – Petition for Authority to Recover Prudently Incurred Storm Restoration Costs Related to 2004 Storm Season that Exceed Storm Reserve Balance, by Florida Power and Light Company.</p> <p>Issued: November 6, 2006</p> <p>8. Request to acknowledge receipt of Public Official Bond for Mr. Frank T. Gaylord, who was unopposed in his election to the Board of Trustees, North Lake County Hospital District Board, Seat One, for a term ending November 8, 2006. His second term will be from November 8, 2006 to November 2, 2010.</p> <p>9. Request to acknowledge receipt of Annual Appropriation Resolution No. 2006-11, from the Arlington Ridge Community Development District, relating to the annual appropriations, and adopting the Budget for the Fiscal Year beginning October 1, 2006 and ending September 30, 2007.</p>	
APPROVED	<p><b>Tab 3.</b> Request from Community Services for approval of adoption of the FY 2006/07 Annual Plan of Service and Combined Budget for the Lake County Library System.</p>	SMITH

APPROVED	<b><u>Tab 4.</u></b> Request from Community Services for approval of the FY 2006/07 Community Development Block Grant (CDBG) Funding Approval/Agreement; authorize the Chairman to sign it; and direct the Department of Community Services to implement the programs covered under the Agreement	SMITH
APPROVED	<b><u>Tab 5.</u></b> Request from Community Services for approval and authorization for the Chairman to sign the First Amendment to the FY 2005/06 Community Development Block Grant (CDBG) Partnership Agreement between the Forest Hills-Lake Mack Association and the County – Commission District 5.	SMITH
APPROVED	<b><u>Tab 6.</u></b> Request from Community Services for approval to allow the County Manager or his/her designee to approve check requests for the Affordable Housing programs, not to exceed \$35,000.00.	SMITH
APPROVED	<b><u>Tab 8.</u></b> Request from Employee Services for approval of the update to the County's Section 125 Plan (Flexible Spending Program); and approval and signature authorization for <b>Resolution No. 2006-212.</b>	WALL
APPROVED	<b><u>Tab 9.</u></b> Request from Employee Services for approval of the revision of the Drug Free Workplace Policy.	WALL
APPROVED	<b><u>Tab 10.</u></b> Request from Employee Services for approval of the revision of the Violence Policy – LCC-74.	WALL
APPROVED	<b><u>Tab 11.</u></b> Request from Growth Management for approval and execution of a Release of Fine, Property Owner: Shelly and Annie Lou Johnson Hawkins, Code Enforcement Case No. CEB 313-00 – Commission District 4.	STRICKLIN
APPROVED	<b><u>Tab 12.</u></b> Request from Growth Management for approval and execution of a Release of Fine, Property Owner: Charles Donnis McCann, Jr., Code Enforcement Case No. 2002020167 – Commission District 5.	STRICKLIN
APPROVED	<b><u>Tab 13.</u></b> Request from Growth Management for approval and execution of a Release of Fine, Property Owner: Donald K. Lewis, Code Enforcement Case No. CEB 137-99 – Commission District 3.	STRICKLIN
APPROVED	<b><u>Tab 14.</u></b> Request from Procurement for approval and execution of the First Amendment to Professional Engineering Consultants, Inc., to extend the contract through September 30, 2007.	SCHWARTZMAN

APPROVED	<b>Tab 15.</b> Request from Procurement for approval to (1) declare the items on the submitted lists as surplus to county needs; (2) authorize the removal of all of the items on said lists from the County's official fixed asset inventory system records; and (3) authorize the Procurement Services Director to sign the vehicle titles. The items on said lists have been declared surplus by their respective agencies, due to age, wear, and obsolescence.	SCHWARTZMAN
APPROVED	<b>Tab 16.</b> Request from Procurement for approval of the contract for Construction Manager (CM) services, in support of the Umatilla Health Clinic, under RSQ No.05-147, to R.D. Michaels, Inc.	SCHWARTZMAN
APPROVED	<b>Tab 17.</b> Request from Procurement for approval and execution of a contract with Moffatt & Nichol, Inc., in the total amount of \$350,834.25.	SCHWARTZMAN
APPROVED	<b>Tab 18.</b> Request from Public Safety for approval of (1) the FY 07 Members Project – Special Appropriation 1589A Agreement, in the amount of \$1,000,000.00; and (2) <b>Resolution No. 2006-213</b> , authorizing appropriation and expenditure of unanticipated funds.	KAISER
APPROVED	<b>Tab 19.</b> Request from Public Works for approval to accept public right of way deeds that have been secured, in conjunction with roadway and/or stormwater projects, as follows: one Statutory Warranty Deed, one Quitclaim Deed, two Temporary Non-Exclusive Construction Easement and Perpetual Wall and Grading Easement – Commission Districts 2 and 3.	STIVENDER
APPROVED	<b>Tab 20.</b> Request from Public Works for approval and signature authorization for <b>Resolution No. 2006-214</b> , to advertise a public hearing for Vacation Petition No. 1083, Charles E. Bailes, Jr. – Representative C. David Brown, to vacate tracts and rights of way in the Plat of Monte Vista Park Farms, located in Sections 9 and 16, Township 23S, Range 26E, in the Clermont area – Commission District 2.	STIVENDER
APPROVED	<b>Tab 21.</b> Request from Public Works for approval and signature authorization for <b>Resolution No. 2006-215</b> , to advertise a public hearing for Vacation Petition No. 1099, Marjorie Morphet, to vacate a right of way in the Plat of Groveland Farms, located in Section 9, Township 23S, Range 24E, in the Groveland area – Commission District 2.	STIVENDER
APPROVED	<b>Tab 22.</b> Request from Public Works for approval and signature authorization for <b>Resolution No. 2006-216</b> , to advertise a public hearing for Vacation Petition No. 1100, A. Tom Harb, to vacate unnamed right of way in the Plat of Plaza Collina, located in Section 25, Township 22S, Range 26E, in the Clermont area – Commission District 2.	STIVENDER

APPROVED	<b><u>Tab 23.</u></b> Request from Public Works for authorization to accept the final plat for Harbor Pines and all areas dedicated to the public, as shown on the Harbor Pines plat; accept a maintenance bond, in the amount of \$29,754.91; execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Howard W. Marshall; and execute <b>Resolution No. 2006-217</b> , accepting the following road into the County Road Maintenance System: Briarcliff Circle (CR 4580F). Harbor Pines consists of 42 lots and is located in Section 21, Township 19S, Range 27E – Commission District 4.	STIVENDER
APPROVED	<b><u>ADDENDUM NO. 1</u></b> - Request from Growth Management for approval and authorization to execute two (2) Florida Communities Trust grant contracts, to aid in the potential acquisition of properties in Districts 4 and 5.	STRICKLIN
APPROVED	<b><u>Tab 7.</u></b> Request from Economic Growth and Redevelopment for approval to be a sponsor of Lake County Days 2007, to be held in Tallahassee, on Wednesday, February 7, 2007 and Thursday, February 8, 2007, in the amount of \$2,500.00.	KEEDY
APPROVED	<b><u>Tab 24.</u></b> Request from County Attorney for authorization to make application for tax deed by county on all parcels (except Homestead on property valued greater than \$5,000.00) and Homestead property where total taxes due are greater than \$100.00.	MINKOFF
APPROVED	<b><u>Tab 25. PRESENTATION</u></b> – Annual Education Impact Fee Report was given by Ms. Bonnie Penner, Chief Financial Officer, Lake County Schools.	CADWELL
APPROVED	<b><u>Tab 26.</u></b> Request from Community Services to select a winner for the “Name the Bus” contest and naming of the bus system. The following name was chosen: Lakexpress	SMITH
APPROVED	<b><u>Tab 27.</u></b> Request from Public Works for approval to accept submitted deed with the County and then accept responsibility for road maintenance, as outlined in submitted 2002 Agreement – Commission District 3.	STIVENDER
POSTPONED	<b><u>Tab 28. PUBLIC HEARING</u></b> - Approval of proposed Ordinance amending Section 14.11.00 of the Land Development Regulations, to allow for the recognition of Fractional Sections, for purposes of creating parcels five (5) acres or larger, when created through the Minor or Agriculture lot split process, until the Board Meeting of January 2, 2007.	CADWELL

FOR YOUR INFORMATION	<p>Ms. Cindy Hall, County Manager, stated that the Board Meeting scheduled for December 26, 2006 has been cancelled, noting that staff is scheduling the Zoning cases to be heard on December 19, 2006. She suggested that the January 2, 2007 Board Meeting be cancelled, as well, however, noted that, due to the length of time between meetings, it may cause the January 2<sup>nd</sup> meeting to be a lengthy one. She stated that staff will see how heavy that Agenda turns out to be and, if it turns out to be a light Agenda, staff may come back to the Board and request that the January 2<sup>nd</sup> meeting be cancelled.</p>	HALL
FOR YOUR INFORMATION	<p>Ms. Cindy Hall, County Manager, informed the Board that she had received a request through the City of Mount Dora, for the County to support a \$40,000.00 grant that they are seeking from the Florida Department of State, for historic preservation, to conduct a historic building survey. She stated that, typically, support from other entities contributes to the success of that. She requested a consensus from the Board for staff to write a letter in support of that grant, for the Vice Chairman's signature.</p> <p>It was the consensus of the Board that said letter be sent to the Florida Department of State, in support of said grant.</p>	HALL
FOR YOUR INFORMATION	<p>Commr. Hill welcomed the newly elected Commissioners, Elaine Renick and Linda Stewart, stating that she appreciated them being members of the Board and that she looked forward to working with them.</p>	HILL
FOR YOUR INFORMATION	<p>Commr. Renick stated that, after her predecessor was elected eight years ago, he asked the Board to change the policy regarding ex-parte meetings for land use and zoning issues and asked that the Board consider changing the Code back to the way that it was. She suggested that staff be asked to bring it back before the Board at a future meeting, for them to look at it again.</p> <p>Mr. Sandy Minkoff, County Attorney, informed the Board that it would take an Ordinance amendment to change the Code. He stated that the Board would need to approve advertising the Ordinance, which would then go to the Local Planning Agency (LPA) and come forward to the Board as a recommendation from the LPA.</p> <p>Commr. Cadwell stated that he felt the Board needed to have a discussion about the matter, before sending it to the LPA.</p> <p>It was the consensus of the Board that staff not prepare the Ordinance at this time, but to only prepare the Agenda item.</p>	RENICK

FOR YOUR INFORMATION	<p>Commr. Renick stated that, at a recent Local Planning Agency (LPA) Meeting, a presentation was given from a number of agricultural interests and Mr. Richard Dunkel, a member of the LPA, made a motion that the LPA ask the Board of County Commissioners to consider the possibility of using the Farm Trust. She stated that, since preserving the rural character of Lake County is a big thing with her, she was very interested in the matter and met with Mr. Dunkel; Ms. Cindy Hall, County Manager; Mr. Phil Leary, a consultant for the Farm Bureau; and Mr. Jody Lee, from the St. Johns River Water Management District, regarding it. She asked that the County Manager share with the Board what happened at that meeting, so that they could decide whether it was something they would like to have a presentation made to the LPA about, which she did.</p> <p>Commr. Renick questioned whether the Board would be interested in having a presentation made to the LPA and then to the Board.</p> <p>Ms. Carol Stricklin, Growth Management Director, addressed the Board stating that staff would be happy to make a presentation to the LPA and would put policies in the Comprehensive Plan to reflect the LPA's direction, however, noted that, in terms of putting together a program, it would be something that the Board would have to give them policy direction on.</p> <p>Commr. Cadwell stated that the LPA would hear the presentation and then decide whether or not to add language to the Comprehensive Plan, however, noted that, in the meantime, the Board would also hear the presentation, so that, when the Comprehensive Plan came before them, they would be educated about the program and be able to make a decision.</p> <p>It was the consensus of the Board that said presentation be made to the LPA.</p>	RENICK
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FOR YOUR INFORMATION	<p>Commr. Renick stated that she would like to have the LPA membership changed, noting that she realized the appointments to said Agency will be discussed in January and the new members will be seated in February of 2007, however, questioned whether the Board would consider making changes earlier than February. She stated that she also realized the deadline for applications is December 1, 2006, so they would not be able to do it before then, but could do it shortly after that. She stated that, since the School Board member that currently sits on the LPA will no longer be a School Board member, as of this evening, she was thinking that they could do the changes all at once. She stated that she was anxious to change the representation for her district to more closely reflect her views on growth management and questioned whether there was any interest in the Board changing the membership of the LPA a little early.</p> <p>Commr. Cadwell stated that the matter would have to be put on an Agenda and the Board would then need to make a motion to remove the individuals in question from the LPA and another motion to appoint their replacements. He stated that he would ask that he be provided with a list of the applicants, prior to that meeting, so that he can educate himself on who they are.</p>	RENICK
FOR YOUR INFORMATION	Commr. Stivender welcomed the newly appointed Commissioners to the Board.	STIVENDER



FOR YOUR INFORMATION	<p>Commr. Stewart stated that one of the reasons she ran for office was because she was concerned that the residential growth in the County was far outpacing the creation of high wage jobs. She discussed appointing a task force that could bring together the best and brightest minds in the field, so that they can promote economic growth in the County, in an unbiased way, noting that she strongly believes that is what takes the tax impact off the citizens of the County. She proposed that the Board strongly look into the matter.</p> <p>Ms. Cindy Hall, County Manager, stated that the County is progressing with the Economic Development Strategic Plan and that was one of the first things that staff was looking at doing – having a plan and, as part of that process, bring forward a number of interested parties. She stated that the Board could hold a Summit, as well, noting that, if it was something the Board would be interested in, staff could fold it into the process of the Strategic Plan.</p> <p>Commr. Cadwell suggested that, until the Board meets in December and makes appointments to those types of committees, staff meet with Commr. Stewart regarding the matter, so that they can start moving forward with it. He informed the newly elected Commissioners that, in December, they would receive a list of all the committees and the Chairman at that time will make recommendations to the Board, for those committees, for approval. He encouraged them to indicate which committees they would like to be appointed to, as the Liaison Commissioner.</p>	STEWART
FOR YOUR INFORMATION	<p>Commr. Cadwell stated that, in the past, the Commissioners have participated in Martin Luther King Day celebrations and he felt it would be nice for them to coordinate through Ms. Wendy Taylor, Executive Office Manager, County Manager's Office, to ensure that there will be representation at every event.</p> <p>Commr. Hill reminded the Board that the Chairman presents a Proclamation honoring Martin Luther King at a breakfast that is held in his honor.</p>	CADWELL
FOR YOUR INFORMATION	<p>Commr. Cadwell thanked those employees who have been participating in The Giving Toy Box, noting that it is a project the County has, along with Toys for Tots, and it has been very successful.</p>	CADWELL
FOR YOUR INFORMATION	<p>Commr. Cadwell informed the Board that there will be a legislative conference in Walton County on Tuesday, November 28, 2006, and he has an Executive Committee Meeting in the afternoon, as well, so he may have to leave the Board Meeting scheduled for that day a little early. He informed the newly elected Commissioners that there is an orientation process for new Commissioners, should they wish to participate in it.</p>	CADWELL

	<b><u>CITIZEN QUESTION AND COMMENT PERIOD</u></b> - No one present wished to address the Board.	
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